

Question #2d

My soft match project needs clearance from U.S. Fish & Wildlife Service (USF&WS). Where do I send the biological evaluation?

Answer #2d

Soft Match project sponsors submit their Biological Evaluation (BE) with their 404 Permit Application to be submitted to the U. S. Corps of Engineers (USACE). The USACE is the lead federal agency and will consult with USFWS as appropriate.

In other words, local agencies **do not send soft match project BE's to USFWS anymore**. USACE, as the federal nexus, will review T&E evaluations; they will consult with USFWS if they need to.

Soft-match projects are NOT considered federal-aid projects with NDOR oversight and responsibility. NDOR does not prioritize soft-match projects. If you have questions regarding procedures for soft-match projects, the NDOR website contains guidance under the Local Public Agency (LPA) portion <http://www.nebraskatransportation.org/gov-aff/downloads.htm#nbcs>.

As of January 30, 2009: if you have submitted a biological evaluation for a soft match project directly to the USFWS for review and have not yet received a written response, USF&WS is in the process of contacting you and communicating instructions consistent with the above.